

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 24-cr-131 (JRT/LIB)

Plaintiff,

v.

ORDER

Warren Holt, Jr.,

Defendant.

This matter comes before the undersigned United States Magistrate Judge pursuant to a general assignment, made in accordance with the provisions of 28 U.S.C. § 636, and upon the Government's Motion for Mental Health Examination of the Defendant [Docket No. 31].

On June 7, 2024, Defendant filed his "Notice of Intent to Rely on Insanity Defense per 18 U.S.C. §17" in which he declared that he "hereby gives notice of intent to rely upon the defense of insanity at trial." (Def.'s Notice [Docket No. 22]). Defendant did not specifically request a competency evaluation. (See, Id.). Defendant filed his "Notice of Intent to Introduce Expert Testimony on Issue of Defendant's Insanity Defense" [Docket No. 23] asserting that he "hereby gives notice of his intent to introduce testimony from a specific medical expert testimony pursuant to his insanity defense on the issue of guilt." (Id.).

On June 27, 2024, the Government filed its "Motion for Mental Health Examination of the Defendant." [Docket No. 31]. The Government requests that the Defendant undergo a psychiatric or psychological examination "to determine whether he was insane at the time of the alleged offense under 18 U.S.C. § 4242(b)." (Id. at 1).

Title 18 U.S.C. § 4242 provides that upon a defendant filing a notice that he "intends to rely on the defense of insanity, the court, upon motion of the attorney for the Government, shall

order that a psychiatric or psychological examination of the defendant be conducted, and that a psychiatric or psychological report be filed with the court, pursuant to the provisions of section 4247(b) and (c)."

As observed above, Defendant's Notice of Insanity Defense, [Docket No. 22], declared his intent to rely on the defense of insanity. Following the filing of Defendant's Notice of Insanity Defense, [Docket No. 22], the Government requested that a psychiatric or psychological examination of Defendant be conducted pursuant to 18 U.S.C. § 4242. (See, Gov't's "Motion for Mental Health Examination of the Defendant" [Docket No. 31]).

Therefore, pursuant to 18 U.S.C. § 4242, the Court orders that a psychiatric or psychological examination of Defendant be conducted regarding his insanity defense, and a psychiatric or psychological report be filed with the Court, pursuant to the provisions of section 4247(b) and (c).

Therefore, for the foregoing reasons, and based on all of the files, records, and proceedings herein, and **IT IS HEREBY ORDERED THAT:**

1. The Government's Motion for Mental Health Examination of Defendant, [Docket No. 31], is GRANTED, as set forth herein;
2. Defendant shall be committed to the custody of the Attorney General for placement in a suitable Federal Medical Center to be examined for competency for a period not to exceed 45 days, with leave for the director of that Federal Medical Center to apply for a reasonable extension of time not to exceed thirty (30) days pursuant to 18 U.S.C. § 4247(b);
3. The United States Marshal's Service shall transport Defendant to that Federal Medical Center as soon as is practicable;

4. The Federal Medical Center shall conduct a psychiatric or psychological examination of Defendant regarding his insanity defense within the meaning of 18 U.S.C. § 4242; and
5. The Federal Medical Center shall file a psychiatric or psychological report with this Court, with copies provided to the Assistant United States Attorney and to defense counsel, pursuant to 18 U.S.C. § 4247(c).

Dated: June 28, 2024

s/Leo I. Brisbois
Hon. Leo I. Brisbois
U.S. MAGISTRATE JUDGE